

Federal Communications Commission.
Donna R. Searcy,
Secretary.

Rule Changes

Title 47 of the Code of Federal Regulations, part 1, is amended to read as follows:

PART 1—PRACTICE AND PROCEDURE

1. The authority citation for part 1 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1062, as amended; 47 U.S.C. 154, 303; Implement. 5 U.S.C. 552, unless otherwise noted.

2. Section 1.80 is amended by revising the introductory text of paragraph (a) and paragraphs (a)(3), (a)(4), (c)(1), (b), and the concluding text to paragraph (a) to read as follows:

Miscellaneous Proceedings

§ 1.80 Forfeiture proceedings.

(a) *Persons against whom and violations for which, a forfeiture may be assessed.* A forfeiture penalty may be assessed against any person found to have:

(3) Violated any provision of section 317(c) or 508(a) of the Communications Act; or

(4) Violated any provision of section 1304, 1343, or 1464 of title 18, United States Code.

A forfeiture penalty assessed under this section is in addition to any other penalty provided for by the Communications Act, except that the penalties provided for in paragraphs (b)(1), (b)(2) and (b)(3) of this section shall not apply to conduct which is subject to a forfeiture penalty under sections 202, 203, 205, 214(d), 219, 220, 223, 364, 386, 506 of the Communications Act. The remaining provisions of this section are applicable to such conduct.

(c) *Limits on the time when a proceeding may be initiated.* (1) In the case of a broadcast station, no forfeiture penalty shall be imposed if the violation occurred more than 1 year prior to the issuance of the appropriate notice or prior to the date of commencement of the current license term, whichever is earlier. For purposes of this paragraph, "date of commencement of the current license term" means the date of commencement of the last term of license for which the licensee has been granted a license by the Commission. A separate license term shall not be deemed to have commenced as a result

of continuing a license in effect under section 307(c) pending decision on an application for renewal of the license.

(b) *Payment.* The forfeiture should be paid by check or money order drawn to the order of the Federal Communications Commission. The Commission does not accept responsibility for cash payments sent through the mails. The check or money order should be mailed to: Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482.

[FR Doc. 93-2453 Filed 2-2-93; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; Amdt. 1-254]

Organization and Delegation of Powers and Duties; Secretarial Succession

AGENCY: Office of the Secretary, DOT.
ACTION: Final rule.

SUMMARY: The purpose of this amendment is to alter the order of Secretarial succession for the Department of Transportation.

EFFECTIVE DATE: The effective date of this amendment is January 14, 1993.

FOR FURTHER INFORMATION CONTACT: Robert I. Ross, Office of the General Counsel, Department of Transportation, Washington, DC (202) 366-0154.

SUPPLEMENTARY INFORMATION: In 49 CFR 1.26, the order of succession to act as Secretary of Transportation is set forth: The Deputy Secretary, General Counsel, Assistant Secretary for Policy and International Affairs, Assistant Secretary for Governmental Affairs, Assistant Secretary for Budget and Programs, Assistant Secretary for Public Affairs, Assistant Secretary for Administration, Associate Deputy Secretary, and Saint Lawrence Seaway Development Corporation Administrator, in that order. For the purpose of the upcoming transition, we deem it preferable to reverse the order of the positions of the Saint Lawrence Seaway Development Corporation Administrator and the Assistant Secretary for Administration in the order of succession.

Analysis of Regulatory Impacts

This amendment has been reviewed under Executive Order 12291, and it has been determined that this is not a major rule. It will not result in an annual effect

on the economy of \$100 million or more. There will be no increase in production costs or prices for consumers, individual industries, Federal, State, or local governments, agencies, or geographic regions. Furthermore, it will not adversely affect competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. Accordingly, a regulatory impact analysis is not required.

This amendment is not significant within the definition in DOT's Regulatory Policies and Procedures, 49 FR 11034 (1979), in part because it does not involve any change in important Departmental policies. Because the economic impact should be minimal, further regulatory evaluation is not necessary. Moreover, I certify that this amendment will not have a significant economic impact on a substantial number of small entities.

This amendment does not significantly affect the environment, and therefore an environmental impact statement is not required under the National Environmental Policy Act of 1969. It has also been reviewed under Executive Order 12612, Federalism, and it has been determined that it does not have sufficient implications for federalism to warrant preparation of a Federalism Assessment.

Finally, the amendment does not contain any collection of information requirements. Accordingly, review by the Office of Information and Regulatory Affairs of the Office of Management and Budget under section 3504(h) of the Paperwork Reduction Act of 1980 is not required.

Since this amendment relates to Departmental management, procedures, and practice, notice and comment on it are unnecessary, and it may be made effective in less than 30 days after publication in the Federal Register.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, part 1 of title 49, Code of Federal Regulations, is amended as follows:

PART 1—[AMENDED]

1. The authority citation continues to read as follows:

Authority: 48 U.S.C. 322.

2. Section 1.26 is amended by revising paragraphs (a) (7), (8), and (9) to read as follows:

§ 1.26 Secretarial succession.

(a) . . .

(7) Associate Deputy Secretary.

(8) Saint Lawrence Seaway Development Corporation Administrator.

(9) Assistant Secretary for Administration.

Issued in Washington, DC, on January 14 1993.

Andrew H. Card, Jr.,

Secretary of Transportation

[FR Doc. 93-1368 Filed 2-2-93; 8:45 am]

BILLING CODE 4910-62-M

49 CFR Part 1

[OST Docket No. 1; Amdt. 1-253]

Organization and Delegation of Powers and Duties; Secretarial Succession**AGENCY:** Office of the Secretary, DOT.**ACTION:** Final rule.

SUMMARY: This final rule amends agency regulations on Secretarial Succession. The Associate Deputy Secretary is added to the line of succession to act as Secretary of Transportation, in case of the absence or disability of the Secretary, until the absence or disability ceases, or in cases of a vacancy, until a successor is appointed. This final rule also adds provisions concerning the new Office of Intermodalism, as established by the Intermodal Surface Transportation Efficiency Act of 1991

EFFECTIVE DATE: January 14, 1993.**FOR FURTHER INFORMATION CONTACT:**

Steven B. Farbman, Office of the Assistant General Counsel for Regulation and Enforcement, C-50 (202) 366-9307, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Title 49

U.S.C. 102(a) established the Department of Transportation. (b) placed the Secretary as head of the Department, (c) put the Deputy Secretary as first in line of succession to be Acting Secretary, and (d) established the General Counsel and the Assistant Secretaries and included them in the order of succession to be Acting Secretary "in the order prescribed by the Secretary." Section 102 was amended in 1984 by the addition of a new subsection (d) which created the position of Associate Deputy Secretary and redesignating the original (d) as (e). This amendment did not change the provision that, after the Deputy Secretary, the order of succession would be the General Counsel and the Assistant Secretaries, in the order prescribed by the Secretary.

U.S.C. 322. the Secretary may issue regulations governing the organization of the Department and the conduct of its business. Under this authority, the Secretary can extend the order of succession beyond the General Counsel and the Assistant Secretaries, and has done so by including the Administrator of the Saint Lawrence Seaway Development Corporation. This authority allows the Secretary to include the associate Deputy Secretary in the order of succession either before or after the Saint Lawrence Seaway Administrator.

This final rule also amends § 1.22(a) and § 1.23(q) of this part to include references to the Office of Intermodalism in the Office of the Secretary. Section 5002 of the Intermodal Surface Transportation Efficiency Act of 1991 (Pub. L. 102-240) established the Office of Intermodalism within the Office of Secretary. As discussed in § 1.23(q) of this Part, the Office of Intermodalism coordinates Federal policy on intermodal transportation.

Since this amendment relates to departmental management, organization, procedure, and practice, notice and comment on it are unnecessary and it may be made effective in fewer than 30 days after publication in the Federal Register. Therefore, this final rule is effective upon publication in the Federal Register.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, part 1 of title 49, Code of Federal Regulations, is amended as follows:

PART 1—[AMENDED]

1 The authority citation for part 1 continues to read as follows:

Authority: 49 U.S.C. 322

2 Section 1.22(a) is revised to read as follows

§ 1.22 Structure.

(a) **Secretary and Deputy Secretary.** The Secretary and Deputy Secretary are assisted by the Associate Deputy Secretary, Executive Secretariat, the Board of Contract Appeals, the Departmental Office of Civil Rights, the Office of Small and Disadvantaged Business Utilization, the Office of Commercial Space Transportation, the Office of Intelligence and Security, and the Office of Intermodalism all of which report to the Secretary. The Assistant

Secretaries, the General Counsel, and the Inspector General also report directly to the Secretary.

3. Section 1.23(i) is revised to read as follows:

§ 1.23 Spheres of primary responsibility.

(i) Associate Deputy Secretary Assists the Secretary and Deputy Secretary in carrying out a variety of executive and managerial policies, programs, and initiatives.

4. Section 1.23(p) is added and reserved and (q) is added to read as follows:

§ 1.23 Spheres of primary responsibility.

(p) [Reserved]

(q) Office of Intermodalism Focal point within the Federal Government for coordination of intermodal transportation policy which brings together Departmental intermodal perspectives, advocates intermodal interests, and provides Secretarial leadership and visibility on issues that involve or affect more than one operating administration.

5. Section 1.26 is amended by redesignating paragraph (a)(8) as (a)(9) and adding a new (a)(8) to read as follows:

§ 1.26 Secretarial succession.

(a) . . .

(8) Associate Deputy Secretary.

Issued at Washington, DC this 24th day of December, 1992.

Andrew H. Card, Jr.,

Secretary of Transportation.

[FR Doc. 93-1412 Filed 2-2-93; 8:45 am]

BILLING CODE 4910-62-M

49 CFR Parts 1 and 89

[OST Docket No 1; Amdt. 1-256]

Organization and Delegation of Power and Duties; Delegations to All Administrators and the Assistant Secretary for Administration**AGENCY:** Office of the Secretary, DOT.**ACTION:** Final rule.

SUMMARY: This document amends the delegations to all DOT Administrators and the Assistant Secretary for Administration by increasing the amount by which they are authorized to compromise claims from "not more than \$20,000 (excluding interest)" to "not more than \$100,000 (excluding interest)." The increased amount reflects the increase in the Secretary's statutory authority to compromise claims. It also reflects authority that has

DEPARTMENT OF TRANSPORTATION
Office of the Secretary
49 CFR Part 1
(OST Docket No. 1; Amdt. 1-²⁵⁴~~253~~)
ORGANIZATION AND DELEGATION OF POWERS AND DUTIES
Secretarial Succession

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The purpose of this amendment is to alter the order of Secretarial succession for the Department of Transportation.

DATE: The effective date of this amendment is **JAN 14 1993**

FOR FURTHER INFORMATION **CONTACT:** Robert I. Ross, Office of the General Counsel, Department of Transportation, Washington, DC (202) 366-9154.

SUPPLEMENTAL INFORMATION: In 49 CFR 1.26, the order of succession to act as Secretary of Transportation is set forth: The Deputy Secretary, General Counsel, Assistant Secretary for Policy and International Affairs, Assistant Secretary for Governmental Affairs, Assistant Secretary for Budget and Programs, Assistant Secretary for Public Affairs, Assistant Secretary for Administration, Associate Deputy Secretary, and Saint Lawrence Seaway Development Corporation Administrator, in that order. For the purpose of the upcoming transition, we deem it preferable to reverse the order of the positions of the Saint Lawrence Seaway Development Corporation Administrator and the Assistant Secretary for Administration in the order of succession.

Analysis of regulatory impacts. This amendment has been reviewed under Executive Order 12291, and it has been determined that this is not a major rule. It will not result in an annual effect on the economy of \$100 million or more. There will be no increase in production costs or prices for consumers, individual industries, Federal, State or local governments, agencies, or geographic regions. Furthermore, it will not adversely affect competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. Accordingly, a regulatory impact analysis is not required.

This amendment is not significant within the definition in **DOT's** Regulatory Policies and Procedures, 49 FR 11034 **(1979)**, in part because it does not involve any change in important Departmental policies. Because the economic impact should be minimal, further regulatory evaluation is not necessary. Moreover, I certify that this amendment will not have a significant economic impact on a substantial number of small entities.

This amendment does not significantly affect the environment, and therefore an environmental impact statement is not required under the National Environmental Policy Act of 1969. It has also been reviewed under Executive Order 12612, Federalism, and it has been determined that it does not have sufficient implications for federalism to warrant preparation of a Federalism Assessment.

Finally, the amendment does not contain any collection of information requirements. Accordingly, review by the Office of Information and Regulatory Affairs of the Office of Management and Budget under section 3504(h) of the Paperwork Reduction Act of 1980 is not required.

Since this amendment relates to Departmental management, procedures, and practice, notice and comment on it are unnecessary, and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

List of subjects in 49 CFR Part 1: Authority delegations (Government **agencies**), Organization. and functions (Government agencies).

In consideration of the foregoing, Part 1 of Title 49, Code of Federal Regulations, is amended as follows:

PART 1 • [AMENDED]

1. The authority citation remains:

AUTHORITY: 49 USC 322.

2. Paragraph (a) of section 1.26 is amended **by** revising subparagraphs **(7)**, **(8)**, and **(9)** to read as follows:

§1.26 Secretarial succession.

(a) The following offiiials, in the order indicated, shall act **as Secretary** of Transportation, in case of the absence or disability of the Secretary, until the absence or disability ceases, or, in case of a vacancy, until a successor is appointed:

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(7) Associate Deputy Secretary.

(8) Saint Lawrence Seaway Development Corporation Administrator.

(9) Assistant Secretary for Administration

Issued in Washington, DC, on JAN 14 1993

Certified to be a true
copy of the original

Barbara Block

Barbara Block
Certifying Officer



Andrew H. Card, Jr.

Secretary of Transportation